

06-05-01

PTO/SB/05 (11-00)

Approved for use through 10/31/2002 OMB 0651-0032

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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UTILITY
PATENT APPLICATION
TRANSMITTAL

Attorney Docket No.

20-8

First Inventor

Chiussi

Title

Method & Apparatus for Guaranteeing Data Transfer Access Enforcing Conformance with Traffic Profiles in a Packet Network

Express Mail Label No.

ET 316 760 all US

(Only for new nonprovisional applications under 37 CFR 1.53(b))

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status
See 37 CFR 1.27
3. ☒ Specification [Total Pages **29**]
(preferred arrangement set forth below)
- Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets **9**]
5. Oath or Declaration [Total Pages **1**]
- a. ☐ Newly executed (original or copy)
Copy from a prior application (37 CFR 1.63 (d))
b. ☐ (for continuation/divisional with Box 18 completed)
- ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application see 37 CFR 1.63(d)(2) and 1.33(b)
6. ☐ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
- a. ☐ Computer Readable Form (CRF)
- b. Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ paper
- c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement of Power of Attorney (when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☐ Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent
17. ☐ Other

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

of prior application No. _____

Prior application information

Examiner _____

Group Art Unit _____

For CONTINUATION OR DIVISIONAL APPS only The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label

(Insert Customer No. or Attach bar code label here)

or ☐

Correspondence address below

Name

Wendy W. Koba, Esq.

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Wendy W. Koba, Esq.

Registration No. (Attorney/Agent)

30509

Signature

Wendy W. Koba

Date

6/4/01

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$ 710.00

Complete if Known

Application Number

Filing Date

First Named Inventor

Chiussi

Examiner Name

Group Art Unit

Attorney Docket No.

20-8

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to

Deposit
Account
Number

501735

Deposit
Account
Name

Agere Systems Inc.

☐ Charge Any Additional Fee Required
Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status
See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money
Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Fee Fee Fee
Code (\$) Code (\$) Fee Description

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	710.00
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) (\$ 710.00

2. EXTRA CLAIM FEES

Total Claims 20 -20** = 0 X 0 = 0
 Independent Claims 2 -3** = 0 X 0 = 0
 Multiple Dependent 0 = 0

Large Entity Small Entity

Fee Fee Fee Fee
Code (\$) Code (\$) Fee Description

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
103	18	203	9	Claims in excess of 20	
102	80	202	40	Independent claims in excess of 3	
104	270	204	135	Multiple dependent claim, if not paid	
109	80	209	40	** Reissue independent claims over original patent	
110	18	210	9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2)

(\$ 0

*or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
105	130	205	65			Surcharge - late filing fee or oath	
127	50	227	25			Surcharge - late provisional filing fee or cover sheet	
139	130	139	130			Non-English specification	
147	2,520	147	2,520			For filing a request for ex parte reexamination	
112	920*	112	920*			Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*			Requesting publication of SIR after Examiner action	
115	110	215	55			Extension for reply within first month	
116	390	216	195			Extension for reply within second month	
117	890	217	445			Extension for reply within third month	
118	1,390	218	695			Extension for reply within fourth month	
128	1,890	228	945			Extension for reply within fifth month	
119	310	219	155			Notice of Appeal	
120	310	220	155			Filing a brief in support of an appeal	
121	270	221	135			Request for oral hearing	
138	1,510	138	1,510			Petition to institute a public use proceeding	
140	110	240	55			Petition to revive - unavoidable	
141	1,240	241	620			Petition to revive - unintentional	
142	1,240	242	620			Utility issue fee (or reissue)	
143	440	243	220			Design issue fee	
144	600	244	300			Plant issue fee	
122	130	122	130			Petitions to the Commissioner	
123	50	123	50			Processing fee under 37 CFR 1.17(q)	
126	180	126	180			Submission of Information Disclosure Stmt	
581	40	581	40			Recording each patent assignment per property (times number of properties)	
146	710	246	355			Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355			For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355			Request for Continued Examination (RCE)	
169	900	169	900			Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 0

SUBMITTED BY

Name (Print/Type)

Wendy W. Koba, Esq.

Registration No.
(Attorney/Agent)

30509

Complete (if applicable)

Telephone

610-346-7112

Signature

Wendy W. Koba

Date

6/4/01

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

CASE Chiussi 20-8

TITLE Method and Apparatus for Guaranteeing Data Transfer
Rates and Enforcing Conformance with Traffic Profiles in a Packet
Network
COMMISSIONER OF PATENTS
WASHINGTON, D.C. 20231

SIR:

NEW APPLICATION UNDER 37 CFR 1.53 (b)

Enclosed are the following papers related to the above-name application for patent:

Specification
9 Formal ~~Informal~~ sheet (s) of drawings
~~Assignment To be recorded~~
~~Declaration and Power of Attorney~~
~~Information Disclosure Statement~~

CLAIMS AS FILED				
	No. Filed	No. Extra	Rate	Calculations
Total Claims	20	-20 = 0	x \$18	0
Independent Claims	2	-3 = 0	x \$80	0
Multiple Dependent, if applicable			x \$270	0
Basic Fee				\$710.00
TOTAL FEE				710.00

Please file the application and charge **Agere Systems Deposit Account No. 501735** the amount of \$710.00 to cover the filing fee for this application. Duplicate copies of this letter are enclosed. In the event of any non-payment or improper payment of a required fee, the Commissioner is authorized to charge or credit **Deposit Account No. 501735** as required to correct the error.

The Commissioner for Patents is hereby authorized to treat any concurrent or future reply, requiring a petition for extension of time under 37 CFR 1.136 for its timely submission, as incorporating a petition for extension of time for the appropriate length of time if not submitted with the reply.

Please address all correspondence to **Wendy W. Koba, P.O. Box 556, Springtown, PA 18081-0556**. Telephone calls should be directed to Wendy W. Koba at 610-346-7112.

Respectfully,

Wendy W. Koba

Wendy W. Koba
Reg. No. 30509
Attorney for Applicant(s)
610-346-7112

Date: 6/4/01

EXPRESS MAIL
CERTIFICATE OF MAILING

Patent Application for:

Applicants: Fabio Chiussi
Andrea Francini

Atty. No: 20-8

Title: Method and Apparatus for Guaranteeing Data
Transfer Rates and Enforcing Conformance with
Traffic Profiles in a Packet Network

I hereby certify that this correspondence is being deposited with the United States
Postal Service with sufficient postage as EXPRESS MAIL in an envelope addressed
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Commissioner for Patents
Washington, D.C. 20231

On June 4, 2001

EXPRESS MAIL TRACKING NO. ET316760271 US

Type or Print name of person signing this certificate: Wendy W. Koba, Esq.

Signature: Wendy W. Koba

100-42547860